

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

2006 MAR 31 CASE NO. 04-11539 JLT
A.H.25

WALTER STICKLE, ANTHONY	U.S. DISTRICT COURT
CALIENDO, JOHN PITINGOLO and	DISTRICT OF MASS.
DANIEL FISHER,)
Plaintiffs)
)
v.)
)
ARTHUR ORFANOS,)
Defendant)
)

**DEFENDANT'S MOTION FOR RECONSIDERATION TO REMOVE
DEFAULT JUDGMENT**

NOW COMES the Defendant/Plaintiff-in-Counterclaim in the above-captioned matter and respectfully move this Honorable Court to reconsider and to remove the default judgment entered against him on or about February 9, 2006.

FACTS

On or about February 9, 2006 the court held a hearing with regard to the above captioned matter. The Defendant was not present because he was not notified of the hearing. The Defendants' address is 54 Egerton Rd, Arlington Ma, 02474, the court has this information on file since the original complaint was filed on or about July 9, 2004.

The Clerk's office informed the Defendant on or about February 21, 2006, that Attorney Pelosky had been notified about the February 9, 2006 hearing. This is not true and is an error or mistake on the part of the court.

The Defendant requests fairness in this matter. The Defendant has acted in good faith and with respect to the honorable court since this action began, to say that he acted irresponsibly or ignores the courts' direction or authority is simply not true.

The Default was not willful.

CONCLUSION

It is not an issue whether or not the court had the Defendant's address, but that the method is which the hearing was conducted was unfair. The Defendant should not be penalized because of an oversight or error on the part of the Court.

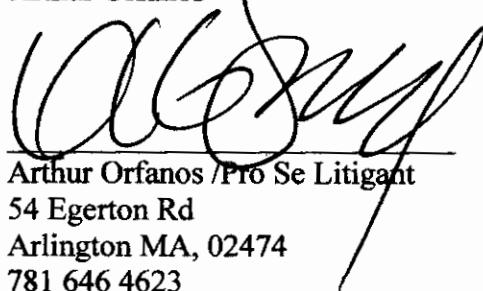
The Defendant has previously filed with his supplement to his motion to remove default judgment sworn affidavits from himself and Attorney Pelosky on his behalf. The Defendant respectfully requests the fairness from the honorable court that he deserves.

The Defendant respectfully reminds the honorable court that he is pro se litigant and has no training or experience as to the practice of law and submits to the best of his understanding and ability and requests leniency.

WHEREFORE, the Defendant respectfully requests consideration to remove the default judgment entered against him on or about February 9, 2006.

Dated March 29, 2006

respectfully submitted,
Arthur Orfanos


Arthur Orfanos / Pro Se Litigant
54 Egerton Rd
Arlington MA, 02474
781 646 4623

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CASE NO. 04-11539 JLT

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CALIENDO, JOHN PITINGOLo and)
DANIEL FISHER,)
Plaintiffs/Defendants -in-)
Counterclaim)
)
v.)
)
**ARTHUR ORFANOS,)
Defendant/Plaintiff-in Counterclaim)
-----)****

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the within Defendant's Motion for Reconsideration to Remove Default Judgment was this day served upon Plaintiffs by mailing same first class Postage prepaid to: Michael B Newman, Attorney of Plaintiff of, Clark Hunt and Embry, 55 Cambridge Parkway, Cambridge MA 02141.

SIGNED under the pains and penalties of perjury.

Date March 29, 2006

Arthur Orfanos

